

IN RE: PETITION FOR ADMIN. VARIANCE  
5/8 High Noon Way, 25' N of the  
c/l of Twilight Court  
(1 High Noon Way)  
14th Election District  
6th Councilmanic District  
Thomas M. Stankovic  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-404-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owner of the subject property, Thomas M. Stankovic. The Petitioner requests relief from Sections 1802.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 8 feet in lieu of the minimum required 11.25 feet for an open deck in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23<sup>rd</sup> day of June, 1993 that the Petition for Administrative Variance requesting relief from Sections 1802.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 8 feet in lieu of the minimum required 11.25 feet for an open deck, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The granting of this variance does not relieve the property owner of the obligations imposed upon him by any Covenants and Restrictions that are applicable within his development. The Petitioner must comply with and abide by the said covenants and restrictions.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 23, 1993

Mr. Thomas M. Stankovic  
1 High Noon Way  
Baltimore, Maryland 21206

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
E/S High Noon Way, 25' N of the c/l of Twilight Court  
(1 High Noon Way)  
14th Election District - 6th Councilmanic District  
Thomas M. Stankovic - Petitioner  
Case No. 93-404-A

Dear Mr. Stankovic:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File



## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1 HIGH NOON WAY  
which is presently zoned DRSE

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3 B; AND 301.1.A, ACER, TO PERMIT A REAR YARD SETBACK OF 8' IN LIEU OF THE REQUIRED 11.25' FOR AN OPEN DECK  
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County subject pursuant to the Zoning Law for Baltimore County.

When do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property, which is the subject of this petition.  
Legal Owner(s):  
Name: Thomas Michael Stankovic  
Signature: *Thomas Michael Stankovic*  
Type or Print Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
Type or Print Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_  
Name: Thomas Stankovic  
Address: 1 HIGH NOON WAY Phone No: 410-266-1815

A Public Hearing having been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, to be held on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_, at \_\_\_\_\_, in accordance with the Zoning Regulations of Baltimore County, and that the property be posted.

RECEIVED BY: JCM DATE: 5-19-93  
ESTIMATED POSTING DATE: 6-6-93 ITEM #: 4-18-93

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 1 HIGH NOON WAY  
BALTIMORE MARYLAND 21206  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

I RESPECTFULLY REQUEST A VARIANCE OF  
THE REAR MINIMUM BUILDING SETBACK LINE  
AT #1 HIGH NOON WAY AS TO ALLOW THE  
CONSTRUCTION OF A 14' X 21' DECK WITH 3'  
WIDE STEPS EXITING THE REAR OF  
SAID DECK. SUCH CONSTRUCTION WOULD  
BRING THE STEPS TO WITHIN 8' OF THE  
REAR PROPERTY LINE

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

*Thomas Michael Stankovic*  
THOMAS MICHAEL STANKOVIC  
Signature (Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 11<sup>th</sup> day of May, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THOMAS STANKOVIC

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 11, 1993

My Commission Expires: April 1, 1997

## EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1 HIGH NOON WAY  
Election District 14 Councilmanic District 6

Beginning at a point on the EAST side of HIGH  
(north, south, east or west)  
NOON WAY which is 40' feet  
(street on which property fronts) (number of feet of right-of-way width)  
wide at a distance of 25' NORTH of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street Twilight Ct  
(name of street)  
which is 50 feet wide. \*Being Lot # 31  
(number of feet of right-of-way width)

Block \_\_\_\_\_, Section # 2 in the subdivision of  
DANBREAK ESTATES as recorded in Baltimore County Plat  
(name of subdivision)  
Book # 58, Folio # 30, containing  
3780 ft<sup>2</sup> AND .09 ACRES  
(square feet and acres)

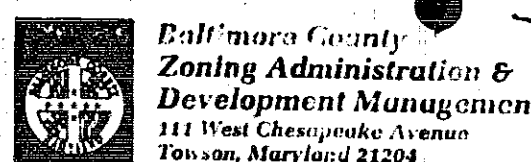
\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_\_, Folio \_\_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 218 ft., and N.58° 15' 22" W. 80 ft. to the place of beginning.

7

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14th Date of Posting: 6/3/93  
Posted for: Variance  
Petitioner: Thomas M. Stankovic  
Location of property: 1 High Noon Way, E/S 25' N of Twilight Ct  
Location of Sign: Corner of deck, on property to be zoned  
Remarks: \_\_\_\_\_  
Posted by: Michael Stankovic Date of return: 6/4/93  
Number of Signs: 7



Date: 5-19-93

THOMAS STANKOVIC - 1 High Noon Way

Admin. U. (010)  
Posting (080)

93-404-A

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Arnold Jablon*  
ARNOLD JABLON, DIRECTOR

#### For newspaper advertising:

Item No.: 418

Petitioner: THOMAS STANKOVIC

Location: 1 High Noon Way

#### PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: SAME

PHONE NUMBER: 866-1815

AJ:ggg

(Revised 04/09/93)



Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-3353

June 11, 1993

Mr. Thomas Michael Stankovic  
1 Highnoon Way  
Baltimore, MD 21206

RE: Case No. 93-404-A, Item No. 418  
Petitioner: Thomas Michael Stankovic  
Petition for Administrative Variance

Dear Mr. Stankovic:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 19, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Maryland Department of Transportation  
State Highway Administration  
O. James Lightbazer  
Secretary  
Holt Kinniff  
Assistant Secretary  
5-26-93  
Re: Baltimore County  
Item No. 9418 (JCM)  
HELPFUL KEATING  
Ms. Julia Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management  
DATE: June 3, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Thomas Stankovic, Item No. 418, One High Noon Way  
David P. Warsaw, Item No. 419, 13 S. Beaumont Ave.  
Mary Catherine Boteler, Item No. 422, 9001 Harford Hills Garth  
James G. Green, Item No. 423, 1501 Serpentine Road

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long  
Division Chief: Edryl L. Kerns

PK/JL:lw

412NC.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
TO: Zoning Advisory Committee  
Captain Jerry Pfeifer  
Fire Department  
Date: May 27, 1993  
FROM: Fire Department  
SUBJECT: Comments for 06/08/93 Meeting  
Item 405 Building shall comply with applicable provisions of the 1991 Life Safety Code.  
Item 416 No Comments  
Item 417 No Comments  
Item 418 No Comments  
Item 419 No Comments  
Item 420 No Comments  
Item 421 No Comments  
Item 422 No Comments  
Item 423 No Comments  
Item 424 No Comments

JP/dmc

RECEIVED  
MAY 28 1993  
ZADM

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204  
May 27, 1993  
(410) 887-3353

Thomas Michael Stankovic  
1 High Noon Way  
Baltimore, Maryland 21206

Re: CASE NUMBER: 93-404-A (Item 418)  
1 High Noon Way  
1/2 High Noon Way, 25' W of c/l Twilight Court  
14th Election District - 6th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 6, 1993. The closing date (June 21, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

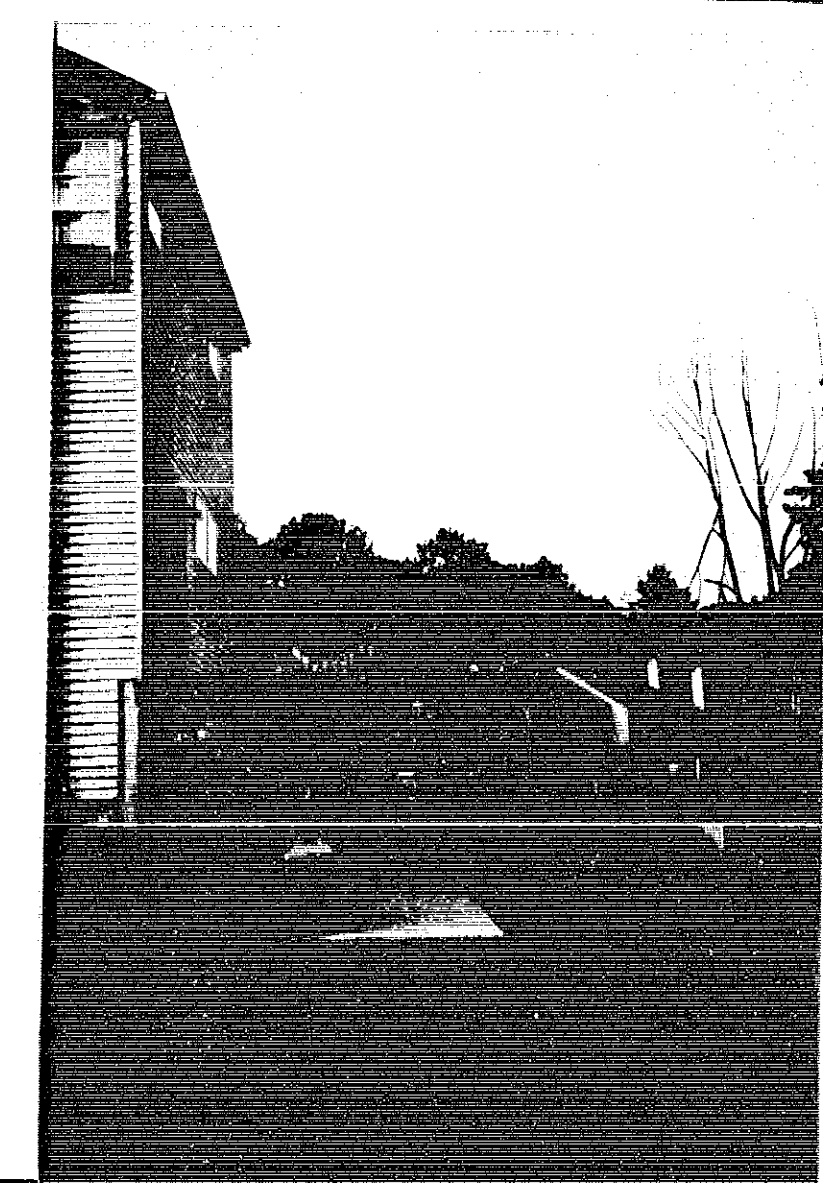
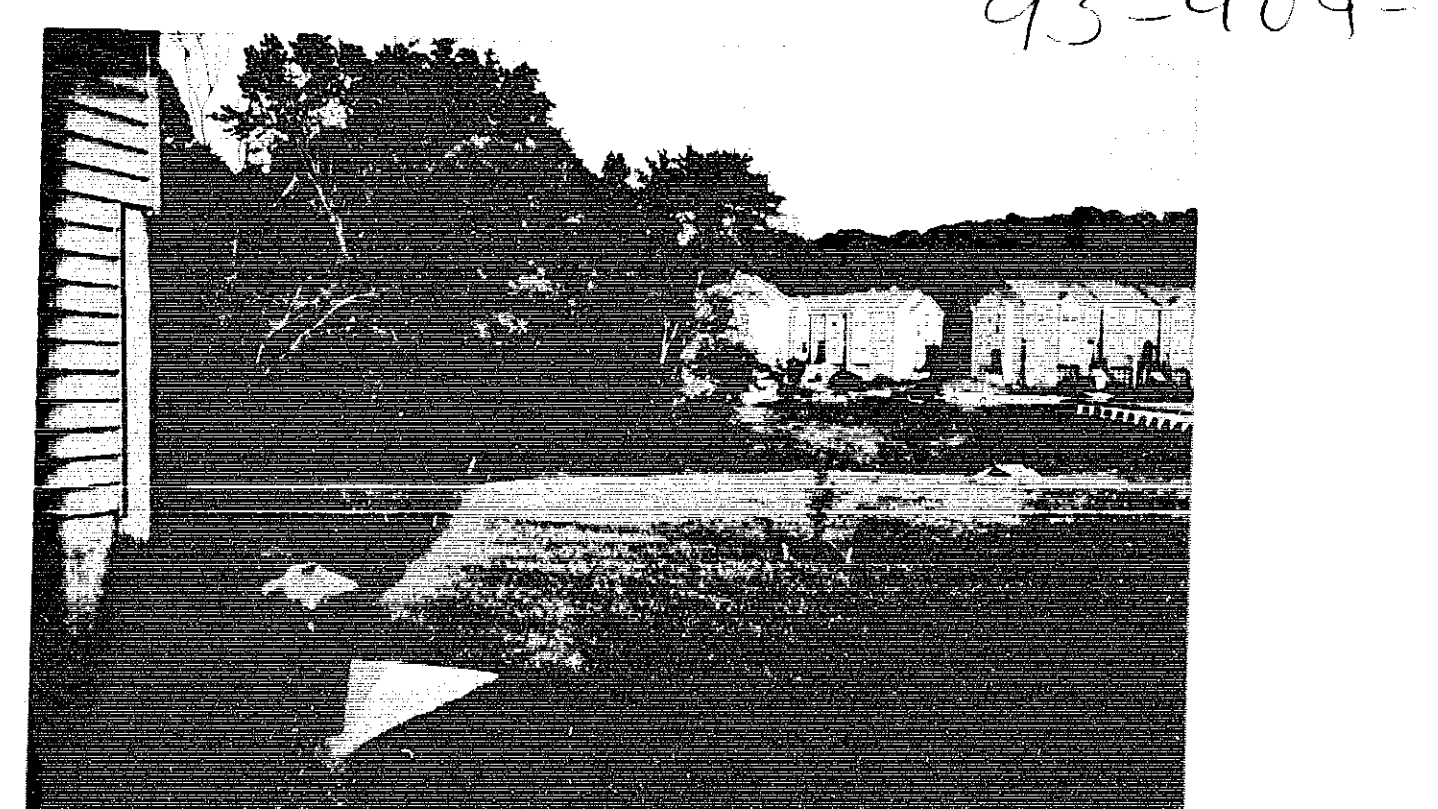
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioners), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Carl J. Jablon  
Arnold Jablon  
Director

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing  
PROPERTY ADDRESS: 1 HIGH NOON WAY  
Subdivision name: DAYBREAK ESTATES  
plat book 58, folio 30, lot 31  
OWNER: THOMAS STANKOVIC  
93-404-A  
100 yr Flood Plain  
RESERVATION  
50' PAVING  
Twilight Court  
High Noon Way 40' PAVING  
North  
date: 5/10/93  
prepared by: JCM 418  
Scale of Drawing: 1" = 30'







PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION OVERLEA 418	SHEET N.E. 5-E
DATE OF PHOTOGRAPHY JANUARY 1986		

93-404-A